IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 28TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 19332 of 2007(B)

OPMV.1273/1993 of MOTOR ACCIDENT CLAIMS TRIBUNAL, ATTINGAL

.....

PETITIONER:

NEELAMMA BAI, W/O.MADHAVAN, ANITHA BHAVAN, ANPATHECKAR, KULATHOOPPUZHA, KOLLAM DISTRICT.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS:

THE NEW INDIA INSURANCE COMPANY LTD., BRANCH UNIT, 2ND FLOOR, K.N.MATHEW BUILDING, GANDHARI AMMAN KOVIL ROAD, THIRUVANANTHAPURAM.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

==========

W.P.(C).No.19332 of 2007

==========

Dated this the 28th day of June, 2007

J U D G M E N T

The petitioner is an old lady who obtained an award from the Motor Accidents Claims Tribunal, Attingal, for payment of compensation. The award amount is deposited in a fixed deposit in a bank. The petitioner, in order to settle her debts, approached the Tribunal for release of the amounts in deposit. The same has been rejected by Ext.P4 order on the ground that the fixed deposit has not yet matured. Petitioner's contention is that the Tribunal has not adverted to the contentions of the petitioner and merely passed the order mechanically.

2. I have considered the contentions of the petitioner. The petitioner has filed an affidavit to the effect that she is heavily indebted and she would need money for her treatment as well as daily

expenses. Taking into account the facts and circumstances of the case, I direct the Motor Accidents Claims Tribunal, Attingal, to disburse Rs.1 lakh out of the amount in deposit with the bank to the petitioner.

Writ petition is disposed of as above.

Sd/-
sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.